

Appl. No.: 09/275,887
Amdt. dated 02/20/2006
Reply to Official Action of November 17, 2005

REMARKS

This Amendment is being filed in response to the non-final Official Action in the request for continued examination (RCE) of the present application. Initially, Applicants would like to thank the Examiner for taking the time to conduct a telephone interview regarding the Official Action. As background, Applicants appealed a previous final Official Action, and filed an Appeal Brief directed thereto. In response to the Appeal Brief, prosecution of the present application has been reopened with issuance of the present non-final Official Action. The present application includes pending Claims 1, 2, 4-8, 10-13, 15-19, 21-24, 26-30 and 32-51, of which the Official Action rejects Claims 10 and 32 under 35 U.S.C. § 102(b) as being anticipated by newly cited U.S. Patent No. 5,732,398 to Tagawa. The Examiner also rejects Claims 1, 2, 4, 12, 13, 15, 21, 23, 24, 26, 35, 36, 43-48 and 50 under 35 U.S.C. § 103(a) as being unpatentable over Tagawa in view of the previously cited U.S. Patent No. 4,879,648 to Cochran et al. In addition, the Official Action rejects Claims 5-8, 16-19, 27-30, 49 and 51 under 35 U.S.C. § 103(a) as being unpatentable over Tagawa and Cochran, in further view of U.S. Patent No. 5,948,040 to DeLorme et al.; and rejects Claims 11, 22, 33, 34 and 37-42 under 35 U.S.C. § 103(a) as being unpatentable over Tagawa in view of U.S. Patent No. 5,897,620 to Walker et al.

As explained below, Applicants respectfully submit that the claimed invention is patentably distinct from Tagawa, Cochran, DeLorme and Walker, taken individually or in combination. Accordingly, Applicants respectfully traverse the rejections of the claims as being anticipated by or unpatentable over the aforementioned references. Nonetheless, to advance prosecution of the present application and at the suggestion of the Examiner during the telephone interview, Applicants have amended independent Claims 1, 10, 11, 12, 21-23, 32-34, 36, 43, 44, 49 and 50 to make explicit that the itinerary analyzed to determine the set of alternative itineraries is the requested itinerary and includes a selected originating and destination locations. In view of the amendments to the claims and the remarks presented herein, Applicants respectfully request reconsideration and allowance of all of the pending claims of the present application.

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I. SUMMARY OF CLAIMED SUBJECT MATTER.

Embodiments of the present invention relate to data processing systems, methods and computer-readable mediums for determining non-obvious savings in booking a travel itinerary. Generally, embodiments of the present invention search for non-obvious savings by performing non-obvious reconfigurations of itineraries, including alternative origin or destination locations. Additionally or alternatively, the embodiments of present invention check the prices of non-obvious suppliers of pre-packaged goods and services, such as travel consolidators/wholesalers, that may provide such savings. Further, embodiments of the present invention may request just-in-time "best offer" price quotes from suppliers, thereby creating a type of online, last-minute auction. Pat. App. page 7, lines 12-21.

The method of one embodiment includes receiving a buyer request, where the request includes information such as origin and destination addresses as well as proximity tolerances for the origin and destination addresses. *Id.* at page 14, lines 13-18. From the received buyer request, a search is conducted for airports within the proximity tolerances to generate alternative itineraries including an alternative origin or destination. In addition, a search can be conducted for pre-packaged opportunities that meet the buyer's request. The lowest price of all the components of an itinerary can then be identified, after which the lowest prices are formatted as a price-to-beat message. Traders and suppliers can, if so desired, respond to the messages with prices equal to or less than the price included in the message. The travel options can then be reconfigured to consider all alternative airports, routings, prepackaged tours and just-in-time offerings. The buyer can then be presented with a report including the alternative itineraries, their components and prices (or values). *Id.* at page 14, line 21 – page 17, line 13.

Applicants further note that Claim 36 of the present application provides a computer system comprising a number of means-plus-function elements as permitted by 35 U.S.C. § 112, sixth paragraph. As explained on pages 9 and 10 of the present application, the computer system recited in Claim 36 may operate in a client-server system illustrated in FIG. 2. although portions of the system may be distributed among a number of machines. In this regard, as further explained with reference to FIG. 2, a client 220 and server 222 each include conventional components such as a processor 224, 234 coupled to memory 225, 235 and a mass storage device

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227, 237. Pat. App., page 9, line 21 – page 10, line 10. As indicated, embodiments of the invention may be implemented in software stored as executable instructions on a computer-readable medium (e.g., 225, 235 and/or 227, 237) on the client and/or server. *Id.* Accordingly, to the extent Claim 36 of the present application recites means-plus-function elements, each of those elements may correspond to conventional computer components on the client or server, including hardware operating alone or under the direction of executable instructions on a computer-readable medium (e.g., 235, 237, etc.).

II. SUMMARY OF THE CITED REFERENCES.

The newly cited Tagawa patent discloses a self-service system for selling travel-related services or products by means of an interactive travel service system functioning like a travel agent. As disclosed, the user is first queried as to travel knowledge, such as whether the user is a first-time visitor or is otherwise familiar with the travel destination, and as to personal attributes such as family orientation, age and preference for airlines, lodgings, car rental companies, price range and lifestyle. In accordance with the travel knowledge and attributes inputted electronically by the user, one or more recommendations or a whole listing will be presented for selection by the user. In one disclosed aspect, a user may select from among local or intrastate tour packages such as packages in the Hawaii market, including trips between the islands (e.g., from Oahu to Kauai, Maui, Molokai, Lanai and/or Hawaii). To simplify the process, the user is asked to input the relevant dates and the inventory database is searched so that only available choices will be presented.

The Cochran patent discloses a system and method of variably displaying search terms. As disclosed, the method includes continuously displaying the names of categories on a video terminal screen. When the cursor is adjacent a category, one data set or search term is displayed, that search term being one of a plurality of terms in a list associated with the particular category. The user can then display another term from the list by actuating a scrolling control key input. In an illustrated example, the Cochran patent describes a structured database of hotel and resort information records. As explained, the information records can be searched based upon the

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proximity of a hotel/resort to specific areas of interest such as a tourist attraction, business location or airport.

The DeLorme patent discloses a travel reservation information and planning system and method. According to the method, users engage in a planning process, whereby the users plan, revise or edit travel plans. The users can also preview alternate routes between a fixed travel origin and travel destination, select points of interest, and compare times and costs of transportation options such that the users can achieve a final travel plan. The DeLorme system allows a user to construct a highly selective travel route between the travel origin and travel destination, with user-selected waypoints of interest along the route. In this regard, the DeLorme system provides for changing the travel route including the transportation routes, waypoints, and objects or points of interest. Col. 7, lines 25-30.

Finally, the Walker patent discloses a method and apparatus for the sale of airline-specified flight tickets. The Walker patent discloses an unspecified-time airline ticket that represents a purchased seat on a flight to be subsequently selected for a traveler-specified itinerary. As disclosed, then, various systems and methods are provided for matching the unspecified-time ticket with a flight. In one disclosed embodiment, a traveler could submit a bid to an airline for an unspecified-time ticket, where the bid specifies an amount (e.g., \$375) the traveler is willing to pay for the ticket. Upon receipt of the bid, the airline can then decide whether to accept or reject the bid.

III. THE CLAIMED INVENTION IS PATENTABLE OVER THE CITED REFERENCES.

The Official Action separately rejects various ones of the claims of the present application as being anticipated by the Tagawa patent, or as being unpatentable over the Tagawa patent in view of various combinations of the Cochran, DeLorme and Walker patents. Accordingly, the rejections of the claims will be separately addressed below in a similar fashion.

A. Claims 10 and 32 are Patentable over Tagawa.

Independent Claims 10 and 32 stand rejected as being anticipated by the Tagawa patent. Amended independent Claims 10 and 32 provide a method and computer system, respectively,

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for providing information regarding savings associated with travel alternatives. In this regard, amended independent Claims 10 and 32 recite receiving or providing a request specifying a travel itinerary that includes a selected originating location and a selected destination location. The travel itinerary specified in the request, including the selected originating and destination locations, is then analyzed to determine a set of alternative itineraries different than the travel itinerary specified in the request. In this regard, analyzing the travel itinerary includes identifying at least one alternative itinerary including an alternate originating location or destination. Independent Claims 10 and 32 also recite determining values for the travel itinerary specified in the request and the alternative itineraries. As further recited, any predetermined travel packages that include travel for the travel itinerary reflected in the request and any predetermined travel packages that include travel for the alternative itinerar(ies) are located, where the travel packages are pre-configured packages based upon prior negotiations with providers of travel services.

In contrast to amended independent Claims 10 and 32, the Tagawa patent does not teach or suggest analyzing a travel itinerary, including a selected originating location or destination location, to determine a set of alternative itineraries different than the travel itinerary. And more particularly, in contrast to amended independent Claims 10 and 32, the Tagawa patent does not teach or suggest analyzing the travel itinerary includes identifying an alternative itinerary that includes an alternative originating location or destination location that is different than the selected originating location or destination location. As explained above in Section II, the Tagawa patent discloses a system for selling travel-related services or products that, in one disclosed aspect, permits a user to select from among local or intrastate tour packages, such as packages in the Hawaii market, including trips between the islands (e.g., from Oahu to Kauai, Maui, Molokai, Lanai and/or Hawaii).

From the above, one could argue (although expressly not admitted) that the Tagawa patent suggests that a user can select from among different destinations for a trip (e.g., different Hawaiian Islands). Even in this instance, however, the Tagawa patent at best discloses determining an itinerary that includes an origin and a destination selected from among the different islands, which one could argue corresponds to the recited step of receiving a request

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that includes a selected originating location and a selected destination location, the destination location being one of the Hawaiian Islands. See Tagawa patent, col. 14, ll. 27-30 and 64-65 (explaining that the user chooses a tour destination). The Tagawa patent does not disclose, however, that the itinerary (including the selected originating and destination locations) is then analyzed to determine alternative itineraries different than the itinerary specified in the request, in the same manner as the claimed invention. Rather, the Tagawa patent merely provides an interactive system whereby the user builds a tour package around the selected originating and destination locations, including selecting a flight between the selected locations.

Applicants therefore respectfully submit that amended independent Claims 10 and 32 are patentably distinct from the Tagawa patent. Accordingly, Applicants also respectfully submit that the rejection of independent Claims 10 and 32 as being anticipated by the Tagawa patent is overcome.

B. Claims 1, 2, 4, 12, 13, 15, 21, 23, 24, 26, 35, 36, 43-48 and 50 are Patentable over Tagawa in view of Cochran.

As indicated above, the Official Action rejects Claims 1, 2, 4, 12, 13, 15, 21, 23, 24, 26, 35, 36, 43-48 and 50 as being unpatentable over the Tagawa patent in view of the Cochran patent. In this regard, amended independent Claims 1, 12, 21, 23, 36 and 43 of the present application recite methods, computer-readable mediums and systems for providing information relating to savings associated with travel alternatives. And amended independent Claims 44 and 50 recite methods for providing travel alternatives. As recited in amended independent Claims 1, 12, 21, 23, 36, 43, 44 and 50, a request specifying a travel itinerary that includes a selected originating location and a selected destination location is received or provided, the request including the selected originating and destination locations, and proximity tolerances specifying a user's acceptable range for searching for alternative itineraries. The travel itinerary specified in the request, including the selected originating and destination locations, is then analyzed to determine a set of alternative itineraries different from the travel itinerary specified in the request. In this regard, analyzing the travel itinerary includes identifying at least one alternative itinerary including an alternate originating location or destination that is within the proximity

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tolerances, and is different than the selected originating location or destination of the travel itinerary specified in the request. Then, as recited in amended independent Claims 1, 12, 21, 23, 36, 43 and 44, information (e.g., values) regarding the travel itinerary specified in the request and the alternative itineraries can be determined, with a report subsequently generated to include the information. As recited in amended independent Claim 50, a report can be provided such that the user can visually inspect a map including a graphical representation of the itinerary specified in the request and the alternative itineraries.

In contrast to the recited methods, computer-readable mediums and systems of amended independent Claims 1, 12, 21, 23, 36, 43, 44 and 50, and as explained above, the Tagawa patent does not teach or suggest analyzing a travel itinerary, including a selected originating location or destination location, to determine a set of alternative itineraries different than the travel itinerary. Applicants respectfully submit that, like the Tagawa patent, the Cochran patent does not teach or suggest the aforementioned feature of amended independent Claims 1, 12, 21, 23, 36, 43, 44 and 50. Applicants therefore respectfully submit that neither the Tagawa patent nor the Cochran patent, taken individually or in combination, teach or suggest this feature.

In further contrast to amended independent Claims 1, 12, 21, 23, 36, 43, 44 and 50, Applicants respectfully submit that neither the Tagawa patent nor the Cochran patent, taken individually or in combination, teach or suggest receiving or providing a request including proximity tolerances specifying a user's acceptable range for alternative itineraries, or identifying an alternative itinerary that includes an alternative origination or destination location within the proximity tolerances. The Official Action, in fact, concedes that the Tagawa patent does not teach or suggest these features of the claimed invention. Nonetheless, the Official Action alleges that the Cochran patent discloses these features. Further, the Official Action alleges that it would have been obvious to one skilled in the art to combine the teachings of the Tagawa and Cochran patents to disclose the claimed invention of independent Claims 1, 12, 21, 23, 36, 43, 44 and 50. Applicants respectfully submit, however, that the Cochran patent, like the Tagawa patent, does not teach or suggest providing a request including an origination location, a destination location and proximity tolerances specifying a user's acceptable range for alternative

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itineraries, or identifying an alternative itinerary that includes an alternative origination or destination location within the proximity tolerances.

As explained above, the Cochran patent does disclose allowing a user to specify the proximity of a hotel/resort to areas of interest, any one or more of which it could be suggested constitute part of a travel itinerary (although expressly not admitted by the Applicant). In contrast to the claimed invention of amended independent Claims 1, 12, 21, 23, 36, 43, 44 and 50, however, the Cochran patent does not disclose that the areas of interest are alternative hotels/resorts or otherwise correspond to alternative itineraries as recited by the claimed invention of the present application. It merely discloses the display of areas of interest such as an airport, tourist attraction or business, and not other hotels/resorts. Moreover, even if the Cochran patent did disclose that the areas of interest are alternative hotels/resorts, as the Cochran patent is drawn to a system and method of displaying search terms, Applicants question whether the Cochran system could even be considered analogous art to the claimed invention. See MPEP § 2141.01(a) (explaining that "to rely on a reference under 35 U.S.C. 103, it must be analogous prior art").

As shown, then, neither the Tagawa patent nor the Cochran patent, individually or in combination, teach or suggest the invention of amended independent Claims 1, 12, 21, 23, 36, 43, 44 and 50. Applicants therefore respectfully submit that amended independent Claims 1, 12, 21, 23, 36, 43, 44 and 50, and by dependency Claims 2, 4-8, 13, 15-19, 24, 26-30, 35, 45-48 and 51, are patentably distinct from the Tagawa and Cochran patents, taken individually or in combination. Thus, Applicants also respectfully submit that the rejection of Claims 1, 2, 4, 12, 13, 15, 21, 23, 24, 26, 35, 36, 43-48 and 50 as being unpatentable over the Tagawa patent in view of the Cochran patent is overcome.

C. Claims 5-8, 16-19, 27-30, 49 and 51 are Patentable over Tagawa, Cochran and DeLorme.

The Official Action rejects Claims 5-8, 16-19, 27-30, 49 and 51 as being unpatentable over the Tagawa and Cochran patents, in further view of the DeLorme patent. As explained above, neither the Tagawa patent nor the Cochran patent, taken individually or in combination,

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teach or suggest the invention of amended independent Claims 1, 12, 23 and 50, and by dependency Claims 5-8, 16-19, 27-30 and 51. That is, in contrast to the claimed invention, neither the Tagawa patent nor the Cochran patent, taken individually or in combination, teach or suggest analyzing a travel itinerary, including a selected originating location or destination location, to determine a set of alternative itineraries different than the travel itinerary. Also in contrast to the claimed invention, neither the Tagawa patent nor the Cochran patent, taken individually or in combination, teach or suggest receiving or providing a request including proximity tolerances specifying a user's acceptable range for alternative itineraries, or identifying an alternative itinerary that includes an alternative origination or destination location within the proximity tolerances. Likewise, Applicants respectfully submit that the DeLorme patent does not teach or suggest these features of the claimed invention, and as such, none of the Tagawa, Cochran and DeLorme patents, taken individually or in any combination, teach or suggest these features. Thus, Applicants respectfully submit that amended independent Claims 1, 12, 23 and 50, and by dependency Claims 5-8, 16-19, 27-30 and 51, are patentably distinct from the Tagawa, Cochran and DeLorme patents, taken individually or in any combination.

Applicants further respectfully submit amended independent Claim 49 recites features similar to those of amended independent Claims 1, 12, 23 and 50, and by dependency Claims 5-8, 16-19, 27-30 and 51. That is, amended independent Claim 49 recites determining a set of alternative itineraries different than the travel itinerary specified in a request, and receiving a request including proximity tolerances specifying a user's acceptable range for alternative itineraries. In addition, amended independent Claim 49 recites that at least one of the alternative itineraries includes a route between an alternate origination location or alternate destination location that is within the proximity tolerances, and either the selected origination or destination location. For similar reasons to those of amended independent Claims 1, 12, 23 and 50, and by dependency Claims 5-8, 16-19, 27-30 and 51, then, Applicants respectfully submit that amended independent Claim 49 is patentably distinct from the Tagawa, Cochran and DeLorme patents, taken individually or in any combination.

For at least the foregoing reasons, Applicant respectfully submit that the rejection of Claims 5-8, 16-19, 27-30, 49 and 51 as being unpatentable over the Tagawa and Cochran

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patents, in further view of the DeLorme patent, is overcome.

D. Claims 11, 22, 33, 34 and 37-42 are Patentable over Tagawa and Walker

The Official Action rejects Claims 11, 22, 33, 34 and 37-42 as being unpatentable over the Tagawa patent in view of the Walker patent. Amended independent Claims 11, 22, 33 and 34 recite a method, computer-readable medium and computer systems, respectively, for providing information regarding savings associated with travel alternatives. As recited, a travel itinerary is received or provided that specifies an itinerary including a selected originating location and a selected destination location. The travel itinerary, including the selected originating and destination locations, is then analyzed to determine a set of alternative itineraries different than the itinerary specified in the request, and thereafter values regarding the travel itinerary specified in the request and the alternative itineraries can then be determined, e.g., the prices of the respective itineraries are determined. At least one price-to-beat request can then be sent to a plurality of service providers (or, as recited in independent Claims 33 and 34, a trader interface or supplier interface, respectively, can receive price-to-beat requests). For example, the price of the least expensive itinerary may fix the price of the price-to-beat request. Then, a response from the service providers may include information on a service provider itinerary and a value, e.g., price, of the service provider itinerary, where the service provider itineraries may be the same, or comparable, to the itinerary specified in the request or one of the alternative itineraries. The values of the itinerary specified in the request and the alternative itineraries can then be reconfigured based upon the responses, and thereafter a report can be generated including the reconfigured values.

In contrast to the recited method, computer-readable medium and computer systems of amended independent Claims 11, 22, 33 and 34, and as explained above in Subsection A, the Tagawa patent does not teach or suggest analyzing a travel itinerary, including a selected originating location or destination location, to determine a set of alternative itineraries different than the travel itinerary. Applicants respectfully submit that, like the Tagawa patent, the Walker patent does not teach or suggest the aforementioned feature of amended independent Claims 11,

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22, 33 and 34. Applicants therefore respectfully submit that neither the Tagawa patent nor the Walker patent, taken individually or in combination, teach or suggest this feature.

In further contrast to amended independent Claims 11, 22, 33 and 34, Applicants respectfully submit that neither the Tagawa patent nor the Walker patent, taken individually or in combination, teach or suggest determining values for the travel itinerary and the alternative itineraries, sending at least one price-to-beat request (where the price-to-beat request may include the values of the travel itinerary and the alternative itineraries) and receiving responses including a service provider travel itinerary that may be the same, or comparable, to the travel itinerary or an alternative itinerary. Further, neither the Tagawa patent nor the Walker patent, taken individually or in combination, teach or suggest reconfiguring the values of the travel itinerary and the alternative itineraries based upon the responses from the service providers, as also recited in amended independent Claims 11, 22, 33 and 34. The Official Action, in fact, concedes that the Tagawa patent does not teach or suggest these features of the claimed invention. Nonetheless, the Official Action alleges that the Walker patent discloses these features. Further, the Official Action alleges that it would have been obvious to one skilled in the art to combine the teachings of the Tagawa and Walker patents to disclose the claimed invention of independent Claims 11, 22, 33 and 34. Applicants respectfully submit, however, that the Walker patent, like the Tagawa patent, does not teach or suggest the respective features of the claimed invention.

As previously explained, the Walker patent does disclose a system for purchasing an unspecified-time ticket that allows a user to bid for a price from a specified airline. The Walker patent does not teach or suggest, however, determining values for a requested itinerary and alternative itineraries and sending the price-to-beat request based upon the values. Also, the Walker patent does not teach or suggest receiving responses from the service providers including a service provider itinerary and an associated value, where the service provider itinerary may be the same, or comparable, to the requested itinerary or an alternative itinerary. Instead, the Walker patent discloses a bidding system where a traveler submits to an airline a specific itinerary and a specific price the traveler is willing to pay for an unspecified-time ticket for the specific itinerary. Nowhere, however, does the Walker patent disclose how the traveler

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determines the price the traveler is willing to pay for the ticket. In this regard, the Walker patent does not teach or suggest that the traveler determines the price the traveler is willing to pay for the ticket based upon a value associated with a requested itinerary and values associated with alternative itineraries, as recited by the claimed invention.

Also, as clearly stated by the Walker patent, the traveler submits a price to an airline for a specific itinerary, and the airline responds whether to accept or reject the bid based on inventory and pricing guidelines. In this regard, the Walker patent does not teach or suggest receiving, from service providers, service provider itineraries that may be the same, or comparable, to the requested itinerary or an alternative itinerary, as recited in amended independent Claims 11, 22, 33 and 34. The Walker patent clearly discloses that a specific itinerary for a specific price is either accepted or rejected by the airline, and not modified by the airline either in price (service provider price) or itinerary (service provider itinerary).

Notwithstanding the above, Applicants also respectfully submit that even if the bidding feature of the Walker patent could be reasonably interpreted as the price-to-beat feature of the claimed invention, the Tagawa and Walker patents cannot properly be combined to teach or suggest the claimed invention of amended independent Claims 11, 22, 33 and 34. In this regard, Applicants respectfully submit that the combination proffered by the Official Action is inconsistent § 2143.01 of the MPEP, which states that a proposed modification of the prior art cannot render the prior art unsatisfactory for its intended purpose. In this regard, in spite of the Official Action's assertions, Applicants again respectfully submit that changing the system in the Walker patent from a user/buyer price driven system to a supplier price driven system for purposes of the rejection is inconsistent with the MPEP. Specifically, Applicants note that there is a fundamental difference between the purpose of the claimed invention and that of the Walker patent. In particular, the claimed invention relates to supplier driven pricing where the user/buyer inputs a request for the item and the system provides either a lowest price or lowest prices offered by suppliers, while the Walker patent is directed to user/buyer driven pricing where the user/buyer sets the price. The combination proposed by the Official Action would essentially alter the system of the Walker patent to a supplier driven pricing model, which would be completely opposite of the fundamental purpose of the system of the Walker patent.

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Applicants note the Examiner's previous explanation of section 2143.01 of the MPEP stating that "[a]lthough statements limiting the function or capacity of the prior art device require fair consideration, simplicity of the prior art is rarely a characteristic that weighs against obviousness of a more complicated device with added function." Applicants respectfully submit, however, that even given this explanation of obviousness, Applicants have not suggested that steps or elements are improperly added to the Walker system to teach or suggest the features of the claimed invention. Instead, and in contrast to the quoted explanation in the MPEP, Applicants respectfully submit that to teach or suggest the features of the claimed invention for which the Walker patent is cited, the system of the Walker patent itself would have to be significantly altered from a user/buyer price driven system where the buyer sets the price, to a supplier price driven system where the user/buyer is allowed to search for a price (e.g., the lowest price) offered by a supplier. But as previously explained, such an alteration would make the system of the Walker patent inoperable for its intended purpose as the entire business model and business operation would be upended. For example, in this alteration, the user/buyer no longer makes, and supplier no longer receives, a guaranteed purchase offer or bid. For this reason, Applicants respectfully submit that all of the claims of the present application are patentable over the cited references.

Even if the references were combined, however, Applicants respectfully submit that neither the Tagawa patent nor the Walker patent, individually or in combination, teach or suggest the claimed invention of independent Claims 11, 22, 33 and 34, by dependency Claims 37-42. And for at least the foregoing reasons, Applicants respectfully submit that the rejection of Claims 11, 22, 33, 34 and 37-42 as being unpatentable over the Tagawa patent in view of the Walker patent is overcome.

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CONCLUSION

In view of the amendments to the claims and the remarks presented above, it is respectfully submitted that all of the claims are in condition for allowance. Accordingly, a Notice of Allowance is respectfully requested in due course. The Examiner is encouraged to contact Applicants' undersigned attorney to resolve any remaining issues in order to expedite examination of the present application.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,

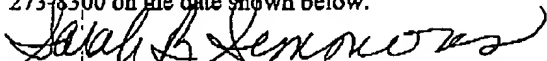


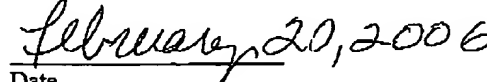
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